

**UNDER** the the Resource Mangement Act 1991 ("RMA")  
**IN THE MATTER** of Proposed Waikato District Plan: Hearing 3 – Strategic Objectives

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**SUMMARY STATEMENT OF MATTHEW ARMIN LINDENBERG ON  
BEHALF OF KĀINGA ORA (FORMERLY HOUSING NEW ZEALAND  
CORPORATION, 749 / FS1269)**

**1 November 2019**

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## 1. Summary Statement

- 1.1 My full name is Matthew Armin Lindenberg. I am a Senior Associate at Beca Limited. I am providing planning evidence on behalf of Kāinga Ora (formerly Housing New Zealand Corporation) in relation to its submissions on the Proposed Waikato District Plan (“PDP”) insofar as they relate to this hearing. In summary, the key points addressed in my evidence are:

*Submission points 749.94, 749.95 & 749.96 (in relation to Section 4.1 and specifically Policy 4.1.3)*

- 1.2 In regard to Policy 4.1.3, Council recommended that Kāinga Ora’s submission point be rejected without any direct analysis against the submission. I support Kāinga Ora’s submission insofar as the submission seeks to ensure the compact or efficient urban development model is carried through the PDP’s objective, policy and rule framework.
- 1.3 I consider the additional clause to Policy 4.1.3, as sought in Kāinga Ora’s primary submission (and outlined below), is appropriate in order to reduce the likelihood of an outcome of urban sprawl and widespread residential growth at low densities – which would not achieve a compact or efficient urban form.

### **4.1.3 Policy - Location of development**

*(a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided and in a manner that aligns with existing and planned infrastructure.*

*(b) Locate urban growth areas in and around existing towns and villages and only where they are consistent with the indicative urban growth areas in Future Proof Strategy Planning for Growth 2017.*

*(c) Where possible, urban subdivision, use and development in the rural environment is avoided.*

- 1.4 As an additional matter, I note that clause (b) of Policy 4.1.3 above contains reference to the need to be consistent with the Future Proof Strategy. I reiterate my previous discussion with the Commissioners, as part of my presentation of evidence for Hearing Topic 1, that I consider it is appropriate for the District Plan to refer to the outcomes that are sought to be achieved, rather than relying upon a reference to a non-statutory

document which is currently subject to review and updating. This approach is consistent with the relief sought above in regard to the addition of the new clause (c), which is seeking to articulate that the outcome being sought is to generally avoid urban subdivision, use and development within the rural environment.

*Submission point 749.97 (in relation to Policy 4.1.5 – Density targets in Residential Zones)*

- 1.5 Kāinga Ora sought the introduction of a new Medium Density Residential Zone into the PDP. As part of seeking this proposed new zone framework, Kāinga Ora sought the inclusion of a medium density target into Policy 4.1.5.
- 1.6 Council's s42A report recommends that this amendment be rejected, stating that this submission will be addressed in Hearing H10 – Residential.
- 1.7 While I acknowledge this submission point will be discussed further in Hearing H10 – Residential, particularly in relation to the provisions of the proposed Medium Density Residential Zone, I consider it will be important and necessary to review and amend Policy 4.1.5 should the Council and/or Commissioners decide it necessary to introduce a new Medium Density Residential Zone chapter into the PDP as a result of a later hearing topic.

*Submission points 749.10 – 749.15; FS1269.77 - FS1269.84 – Town / Location-specific Policies (Policies 4.1.10 Tuakau – 4.1.18 Raglan) and 'Reverse Sensitivity'*

- 1.8 I have reviewed the s42a rebuttal evidence by Mr Matheson, and, while I remain of the view that the change from “from” to “on” reflects a change in approach, I concur with his comments in paragraph 60 regarding this being a more appropriate reflection of the nature of reverse sensitivity effects – ie, these are effects of sensitive activities “on” the primary effects-generating activity. This relationship is correctly captured in the changes I have recommended to the policies as set out in my original evidence (and addressed below at 1.13).
- 1.9 The end result of the amendments proposed by the Council in relation to submissions received has created a policy approach in relation to 'reverse

sensitivity', which now has variations in wording and focus relative to specific towns / locations. The policies relating to Pokeno (4.1.11), Te Kauwhata (4.1.12), Huntly (4.1.13), Taupiri (4.1.14) and Horotiu (4.1.16) now contain 'reverse sensitivity clauses' which read as follows:

*"Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or minimised".*

- 1.10 On the other hand, the Policies relating to Tuakau (4.1.10) and Ngaruawahia (4.1.15), have now been amended to contain 'reverse sensitivity clauses' which read as follows:

*"Existing intensive farming, strategic infrastructure and industrial activities are protected from the effects of reverse sensitivity when locating new residential development".*

- 1.11 Furthermore, neither Policy 4.1.17 in relation to Te Kowhai nor Policy 4.1.18 in relation to Raglan contain a specific 'reverse sensitivity clause'.

- 1.12 I am uncertain as to why exactly there is a need for the difference in this variation in wording / approach, specific to different towns. In addition, there are some specific variations across the two differing policy approaches which I consider are very important in the consideration how issues of reverse sensitivity are to be managed.

- 1.13 For this reason, I am of the opinion that the wording of such a clause must capture this aspect of timing. I therefore consider that the most appropriate policy approach for all of Policies 4.1.10 – 4.1.16 is that which has been proposed in relation to Tuakau (4.1.10) and Ngaruawahia (4.1.15), which would read as follows:

*"Existing intensive farming, strategic infrastructure and industrial activities are protected from the effects of reverse sensitivity when locating new residential development".*

*Submission Point 749.20 – Policy 4.7.3 – Residential Subdivision and Urban Design Guidelines (Appendix 3)*

- 1.14 Kāinga Ora's primary submission sought the retention of the objectives and policies in Chapter 4 of the PDP, subject to an amendment to Policy 4.7.3 (Residential Subdivision). The amendment was to delete reference

within the Policy to the Urban Design Guidelines Residential Subdivision 2018 contained in Appendix 3.1 of the PDP.

1.15 Specific to Policy 4.7.3, the intent in relation to the outcomes the policy is seeking can still be achieved, without the need for a specific reference to the design guidelines themselves within the policy.

1.16 I therefore consider that an appropriate alternative wording for Policy 4.7.3 would read as follows in ~~red strikethrough~~ and underline (which also incorporates the amendment proposed by the Council in their s42a rebuttal report):

*~~"The design of subdivision Development particularly within new growth areas and for large infill or redevelopment within existing residential areas should demonstrate how it responds to the following outcomes of Waikato District Council's Urban Design Guidelines Residential Subdivision (Appendix 3.1), section 4 (Connectivity and Movement Networks), section 5 (Neighbourhood Character), section 6 (Residential Block and Street Layout), section 7 (Open Space and Landscape Treatment), and section 8 (Low Impact Urban Design), in particular by: ...~~*

1.17 I consider the amendment set out above will still assist to deliver upon the subdivision design outcomes which the Council is seeking to achieve, without the need for specific reference within Policy 4.7.3 to the urban design guidelines for residential subdivision.

*Commentary in relation to Council's Proposed Amendments to Objective 4.1.7 – Character of Towns*

1.18 Upon reviewing the Council's rebuttal evidence, I note the Council have proposed amendments to 'Objective 4.1.7 – Character of towns'. The amendments proposed by Council in relation to clause (b) read as follows:

*(b) Development in the Residential, Village, Business Town Centre and Business zones is attractive and reflects the existing character of towns and that character is enhanced by new growth and development.*

1.19 I consider there are a number of problematic components to the wording of clause (b). The first is the reference to reflecting "existing character". The current discussions document of the Proposed National Policy Statement for Urban Development ("NPS:UD") is seeking to provide specific direction in relation to expectations of amenity and character, and how urban environments can best plan for and enable changes to existing

amenity and character over time. In order for the PDP to achieve consistency with the proposed policy direction outlined in the NPS:UD, I consider a more appropriate term would be to refer to the “planned character”, which reflects that the type and nature of development which might be enabled through the various urban zone provisions could in fact be seeking to achieve a future character which is different to that which currently exists (e.g. where a zone might seek more medium density built form outcomes such as terraces and low rise apartments, where the existing built form is more representative of stand-alone single dwellings). The second issue is with the use of the term “attractive”, which is a subjective concept and one which is difficult to define and articulate.

- 1.20 In light of the above commentary, I consider a more appropriate wording of clause (b) could read as follows:

*(b) Development in the Residential, Village, Business Town Centre and Business zones ~~is attractive and~~ reflects the ~~existing planned built character which the zones are seeking to achieve over time. of towns and that character is enhanced by new growth and development.~~*

**Matthew Armin Lindenberg**

1 November 2019